

October 23, 2014
LWG/EPA Senior Managers Meeting
Seattle, WA

EPA Attendees: Lori Cohen, Cami Grandinetti, Deb Yamamoto, Kristine Koch, Elizabeth Allen, Karl Gustavson (Army Corps, by phone)

LWG Attendees: Margaret Kirkpatrick, NW Natural; Jessica Hamilton, Port of Portland; Jim McKenna, LWG; Bob Wyatt, NW Natural; Kim Cox, City of Portland (by phone)

Introductions. LWG congratulated Deb on her retirement. EPA informed LWG that Cami would be stepping into the role for Deb at the moment. Deb would be retiring in January 2015. Karl was on the phone to support discussions on behalf of EPA on CSM.

AGENDA

1. Comparison of EPA's and LWG's understanding of the Portland Harbor Site
2. Project management and staffing
3. Dispute Status
4. The Future, including (a) whether we should revise the process for completing the FS and (b) the schedule

1. Discussion of EPA and LWG understanding of the Portland Harbor Site

EPA asked Bob and Jim to lead off the conversation about the CSM and Section 5 and 10 issues. Bob and Jim stated that the LWG is committed to getting an RI done and that there are important elements of the RI that need to be synthesized for it to work, as part of the Conceptual Site Model, including integrating the physical, risk, biological and chemical components. The LWG consultants feel strongly that this information is necessary.

The LWG expected a much more robust CSM, so some of the information from Section 5, which was relegated into an appendix should now come back into the primary document.

EPA raised its understanding that LWG wanted the PCB and homolog data back into Section 5, and the only reason for that was the identification of sources.

The LWG PMs responded that this highlights the problem with the chapter-by-chapter approach. That while Chapter 4 does relate to sources, but the LWG did not understand the information would be cut from Section 5 when it reviewed Section 5, so the LWG did not realize that Section 5 would delete the conclusions drawn between sources and sediment contamination.

EPA RPM raised that Section 4 contained no discussion of homologs and congener data and their linkages.

The LWG responded that the linkage occurred in old Chapter 10—the final section (10) was drafted by the LWG to synthesize all of this information. The LWG has no strong preference for where this information goes, but it is important to the LWG that this information is in the RI somewhere.

EPA Risk Assessor questioned what homolog discussion adds in terms of source identification that aroclor or other data don't and what critical error in remedy selection would adding these data prevent

LWG PMs responded that these data present another line of evidence to support RI conclusions and that it is important to understand whether contamination in sediment is ongoing source or related to a historic release.

LWG also stated that we had a purpose for collecting the data that was agreed upon when we collected it and asked why we were rewriting the document so much and we could put the data back in and finish the document.

EPA stated that was a different question, but that sometimes more information isn't always better. EPA wants to make sure they can tell the story.

The LWG clarified that our concerns are not as much about the chemical understanding of the system and the data set but the physical integration of the system.

More conversation about aroclor and homolog data between project staff.

The LWG raised that one section should pull together the CSM—that's where the integration of material from the RI makes sense. The LWG also clarified that it is acceptable to move information from Section 5 into an appendix.

A discussion between EPA and LWG occurred and it became apparent that the LWG and EPA had experienced some miscommunications about the resolution and elevation of issues. It was suggested that these issues be kicked back to the project team for potential resolution. EPA mentioned that it was going to be looking into having these meetings facilitated, possibly by a contractor.

Karl Gustavson (Army Corps of Engineers) stated that he has been involved in some of the technical meetings and that he sees that the communications issues should be overcome and that on the technical side, the relationship with LWG is strong and that they are getting what they need.

EPA and LWG agreed to meet to try to resolve issues about what to do about information removed from Section 5 and 10. LWG requested EPA's rationale for eliminating certain material. The project teams agreed to report to respective senior management teams on progress by Nov. 14.

EPA raised that on the broader CSM issues, one of the big issues is that of deposition and natural recovery. Looking at the big picture, EPA and LWG agree that contamination exists primarily near shore, but that the LWG and EPA are not getting to the same place on deposition.

EPA said that when it defines the remedy it will have a remedial action goal. There may be low numbers as the final goal that may not be achievable in an urban environment. If that proves to be the case, then EPA may waive or modify its final number for a cleanup goal or if it determines that new or additional cleanup is necessary, that would mean a new ROD. EPA stated that it was not going to recommend goals that would not be achievable in the ROD.

EPA asked the LWG to provide its thoughts on an Interim vs. Final Rod, and using an Interim ROD in conjunction with adaptive management.

2. Project Management and Staffing

The concept of meeting facilitation was raised by EPA. EPA told the LWG that at the TCT meeting, CDM would be facilitating.

EPA let the LWG know that it had posted internally a job announcement for a RPM position that could be based in Portland or Seattle. LWG asked whether this new RPM would have duties outside of Portland Harbor and EPA clarified that it had not been decided that this new position would work on Portland Harbor, that they would have to evaluate the resumes received.

The LWG raised that they had understood from the Chief Executives Meeting that hiring to replace Chip was a priority for the agency when EPA was able to hire based on its FTE constraints.

3. Dispute Update

EPA stated it had no update but that the Division Director now had all the briefing documents and if he had questions, he would reach out to resources available to him.

4. FS Process Adjustments

EPA stated that it has taken a while to get through the chapter by chapter approach on the RI and that it is critical for the project to complete the FS soon to meet its commitment to be before NRRB next year. EPA stated that it would be optimistic to do the chapter by chapter approach for the FS and get to completion by mid-summer for a fall NRRB. EPA suggested for LWG's consideration one idea to have the technical conversations between the two project teams before EPA wrote specific sections, but that the LWG would not be given the write up or the chapter until the FS was completed. EPA informed the LWG that because of the dispute on Sec. 7 of the RI, EPA cannot complete the writing of Section 2 of the FS anyway, but EPA is proceeding with Section 3 and 4 and EPA told LWG that it is not stopping work on the FS.

EPA asked the LWG to get back to EPA on their ideas moving forward. The LWG and EPA discussed dates for the next meeting and the LWG agreed to look into meeting early in the week of Nov. 19.